

Notice of Allowability

Application No.

10/633,128

Examiner

Houshang Safaipoor

Applicant(s)

STOCKER, STEVEN ORVILLE

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Terminal Disclaimer filed on 10/13/2006.
2. ☒ The allowed claim(s) is/are 1-9 and 12-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/06 and 8/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JEROME GRANT
PRIMARY EXAMINER

DETAILED ACTION

The double patenting rejection is withdrawn in view of the Terminal Disclaimer filed by the applicant on 10/13/2006 and approved on 11/28/2006.

Reasons for Allowance

1. Claims 10, 11 and 16-21 are canceled.
2. Claims 1-9 and 12-15 are allowed.
3. This is examiner's statement of reasons for allowance.

Regarding claims 1-13 the prior art, either singularly or in combination, does not teach "...a light source adapted to direct light onto the object and onto the first and second light monitor elements such that light is reflected from the object and first and second light monitor elements, and a light redirection system operable in a first mode to focus light reflected from the object and the first light monitor element onto the sensor and operable in a second mode to focus light reflected from the object and the second light monitor element onto the sensor."

Regarding claims 14-15 the prior art, either singularly or in combination, does not teach "...first and second light monitor elements associated with the window and offset from one another in the scan direction; and a scanning system including a sensor, the scanning system being operable in a first mode to focus a region of the object and the first light monitor element onto the sensor and operable in a second mode to focus a region of the object and the second light monitor element onto the sensor."

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412.

The examiner can normally be reached on Mon.-Thurs. from 6:30am to 3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

David Moore whose telephone number is (571)272-7437. The fax phone number for the

organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application


Information Retrieval (PAIR) system. Status information for published applications may be

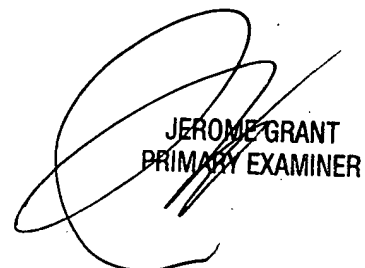
obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 Houshang Safaipoor
Patent Examiner
Art Unit 2625
December 15, 2006


JEROME GRANT
PRIMARY EXAMINER